

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,	)	
	)	4:06CR3139
Plaintiff,	)	
vs.	)	<b>MEMORANDUM</b>
	)	<b>AND ORDER</b>
OSCAR MARTIN RODRIGUEZ CISNEROS	)	
	)	
Defendant.	)	

IT IS ORDERED:

The motion of defendant to continue and set for plea, filing 16, is granted and,

1. This case, insofar as it concerns this defendant, is removed from the trial docket based upon the request of the defendant.
2. A hearing on the defendant's anticipated plea of guilty is scheduled before Magistrate Judge Piester on the 30th day of January, 2007, at the hour of 1:00 p.m., in Courtroom No. 2, United States Courthouse and Federal Building, 100 Centennial Mall North, Lincoln, Nebraska.
3. On or before the date set for the plea proceeding, counsel for plaintiff and for defendant shall provide to the assigned probation officer their respective versions of the offense for purposes of preparing the presentence investigation report.
4. The ends of justice will be served by granting such a motion, and outweigh the interests of the public and the defendant in a speedy trial, and the additional time arising as a result of the granting of the motion, the time between today's date and the anticipated plea of guilty, shall be deemed excludable time in any computation of time under the requirements of the Speedy Trial Act, for the reason that defendant's counsel requires additional time to adequately prepare the case, taking into consideration due diligence of counsel, the novelty and complexity of the case, and the fact that the failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B).
5. Defendant shall appear for this hearing.

Dated: December 7, 2006.

BY THE COURT:

s/ *David L. Piester*

United States Magistrate Judge